

MEETINGS TO DATE 28
NO. OF REGULARS 24
NO. OF SPECIALS 4

LANCASTER, NEW YORK
DECEMBER 20, 1976

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 20th day of December, 1976 at 8:00 P.M. and there were

PRESENT: STANLEY JAY KEYSA, SUPERVISOR
JOSEPH R. BARNHARDT, COUNCILMAN
EDWARD A. BERENT, COUNCILMAN
PETER J. BOLENDER, COUNCILMAN
ARTE J. METZ, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
DOMINIC J. TERRANOVA, TOWN ATTORNEY
RICHARD J. SHERWOOD, DEPUTY TOWN ATTORNEY
EDWARD J. FERON, JR., TOWN ENGINEER
VICTOR H. OTT, POLICE CHIEF
JOHN M. COSTELLO, ASSESSOR III

BID OPENINGS:

None

PUBLIC HEARINGS:

None

OFFICIAL REPORTS:

The Town Clerk reported that the following departments of the Town of Lancaster have filed with him their Monthly Reports as follows:

<u>DEPARTMENT</u>	<u>MONTH OR MONTHS OF</u>
Dog Warden	November, 1976

The Town Clerk reported that the following Boards, Commissions, Bureaus, and Committees of the Town of Lancaster have filed with him minutes or memorandums of their meetings as follows:

Environmental Conservation Commission	October 13 and November 10, 1976
Youth Bureau	November 18, 1976

COMMITTEE REPORTS:

None

PRESENTATION OF RESOLUTIONS BY COUNCILMEN:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

RESOLVED, that the minutes of the Regular Meeting of the Town Board
held on December 6, 1976, as presented by the Town Clerk, be and hereby are
approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

~~duky~~
The resolution was thereupon unanimously adopted.

December 20, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, it has become necessary to create the position of Police
Clerk in the Town of Lancaster Police Department,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
creates the position of Police Clerk in the Town of Lancaster Police Department,
and

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is
hereby authorized to complete and execute Section 8 of Form P0-17 (New Position
Duties Statement) from the Erie County Department of Personnel, indicating that
the position of Police Clerk in the Town of Lancaster Police Department has
been created.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

~~duky~~
The resolution was thereupon unanimously adopted.

December 20, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, by resolution of the Town Board of the Town of Lancaster
of December 20, 1976, the position of Police Clerk in the Town of Lancaster
Police Department was created, and

WHEREAS, the Police Commissioners and Chief of Police have recommended
the appointment of an individual to fill such position, and

WHEREAS, the Police Committee of the Town Board concurs in such
recommendation,

NOW, THEREFORE, BE IT

RESOLVED, that Gail Braun, 5984 Genesee Street, Lancaster, New York,
be and hereby is appointed as Police Clerk in the Town of Lancaster Police
Department, effective January 1, 1977, at a salary as set forth in the Schedule
of Salaries for said position, and

BE IT FURTHER

RESOLVED, that the Supervisor take the necessary action with the
Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

~~xxxx~~
The resolution was thereupon unanimously adopted.

December 20, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deems it in
the public interest that Policy and Procedures for Employee Group Life
Insurance Benefits be adopted for Town of Lancaster employees, and

WHEREAS, intensive review of past policy has been made by the
Town Board and decision made as to a fair and equitable system covering
such Policy and Procedures has been reached,

NOW, THEREFORE, BE IT

RESOLVED, that said Policy and Procedures for Employee Group
Life Insurance Benefits be and hereby is adopted effective January 1, 1977,
and

BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is authorized and
directed to furnish a copy of said Policy and Procedures for Employee
Group Life Insurance Benefits to all Town of Lancaster employees affected
by said Policy and Procedures.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

~~xxx~~
The resolution was thereupon unanimously adopted.

December 20, 1976 /

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

WHEREAS, the Erie County Attorney has submitted a contract between the County of Erie and the Town of Lancaster covering the removal of snow and ice on certain roads located within the boundaries of the Town of Lancaster for the period November 1, 1976 through October 31, 1977,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and hereby is authorized and directed to execute a contract between the Town of Lancaster and the County of Erie for the removal of snow and ice on certain roads located within the boundaries of the Town of Lancaster for the period November 1, 1976 through October 31, 1977, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and is hereby authorized and directed to certify to the County of Erie as to the adoption of this resolution and that the Town of Lancaster is covered by bodily injury liability insurance in the sum of \$100,000.00 for each person and \$300,000.00 for each accident; property damage liability insurance in the sum of \$50,000.00 for each accident; and Workmen's Compensation insurance coverage for all employees and that the aforesaid insurance fully covers the period November 1, 1976 through October 31, 1977.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

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The resolution was thereupon unanimously adopted.

December 20, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, the Street Lighting Agreement between the Town of Lancaster
Lighting District - Entire and the New York State Electric & Gas Corporation
expires, according to its terms, on January 1, 1977, and

WHEREAS, New York State Electric & Gas Corporation has submitted
a proposed agreement between said New York State Electric & Gas Corporation
and said Town of Lancaster Lighting District - Entire, and

WHEREAS, it is deemed in the public interest that said contract
be entered into,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor, acting on behalf of the Town of
Lancaster Lighting District - Entire, be and hereby is authorized and directed
to execute said agreement, and

BE IT FURTHER

RESOLVED, that the Town Clerk be and hereby is directed to forward
a certified copy of this resolution to the New York State Electric & Gas
Corporation.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYS	VOTED YES
COUNCILMAN METZ	VOTED YES

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The resolution was thereupon unanimously adopted.

December 20, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, the Millgrove Volunteer Fire Company, Inc., by letter dated December 3, 1976 has requested confirmation of three (3) new members duly elected to the Membership of the Millgrove Volunteer Fire Company, Inc.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the membership of the following individuals in the Millgrove Volunteer Fire Company, Inc.:

Donald J. Januchowski
3499 Townline Road
Lancaster, New York 14086

Paul Michael Kowalski
6325 Genesee Street
Lancaster, New York 14086

Franklin Adam Landahl
11922 Buckwheat Road
Alden, New York 14004

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

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The resolution was thereupon unanimously adopted.

December 20, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

WHEREAS, by letter of December 15, 1976, the Assessor of the Town of Lancaster has recommended the creation of the position of Real Property Appraiser-Estimator Trainee in his Department,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the position of Real Property Appraiser in the Office of the Assessor, as presently constituted, be and hereby is abolished effective December 31, 1976, and

2. That the Town Board of the Town of Lancaster hereby creates the position of Real Property Appraiser-Estimator Trainee in the Office of the Assessor of the Town of Lancaster.

3. That the Supervisor be and is hereby authorized to complete and execute Section 8 of Form P0-17 (New Position Duties Statement) from the Erie County Department of Personnel, indicating that the position of Real Property Appraiser-Estimator Trainee in the Office of the Assessor of the Town of Lancaster has been created and take necessary action to accomplish the abolishment of the position of Real Property Appraiser in the Office of the Assessor.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

~~and~~

The resolution was thereupon unanimously adopted.

December 20, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN METZ , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BOLENDER , TO WIT:

WHEREAS, by resolution of the Town Board of the Town of Lancaster
of December 20, 1976, the position of Real Property Appraiser-Estimator Trainee
in the Office of the Assessor of the Town of Lancaster was created,

NOW, THEREFORE, BE IT

RESOLVED, that Michael J. Beilman, 19 Inwood Place, Lancaster, New
York, be and hereby is appointed to said position of Real Property Appraiser-
Estimator Trainee in the Office of the Assessor of the Town of Lancaster, on a
provisional basis pending outcome of the Civil Service Examination applicable
to said position, and

BE IT FURTHER

RESOLVED, that the appointment of the said Michael J. Beilman on a
provisional basis be effective December 21, 1976, at an annual salary of
\$8750.00, and

BE IT FURTHER

RESOLVED, that the Supervisor take the necessary action with the
Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

~~duky~~
The resolution was thereupon unanimously adopted.

December 20, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, the Bowmansville Volunteer Fire Association, Inc., by letter dated December 15, 1976 has requested confirmation of three (3) new members duly elected to the Membership of the Bowmansville Volunteer Fire Association, Inc.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the following individuals in the Bowmansville Volunteer Fire Association, Inc.:

CONFIRMATIONS

Mr. William Abraham
37 Meadow Lea
Lancaster, N.Y. 14086

Mr. Richard Longmate
12 Martha Drive
Bowmansville, N.Y. 14026

Mr. Richard Stanley
5180 Genesee Street
Bowmansville, N.Y. 14026

The question of the adoption of the foregoing resolution was duly put a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

~~duky~~
The resolution was thereupon unanimously adopted.

December 20, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

WHEREAS, in order to enable the Supervisor's Office to encumber as
few funds as possible for the year-end audit,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby calls
a Special Meeting to be held on December 27, 1976, at 8:00 P.M. to audit claims
and for such other and further business as may come before a regular meeting
of the Town Board.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

~~xxxx~~

The resolution was thereupon unanimously adopted.

December 20, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, the Parks and Recreation Department of the County of Erie has determined to close Como Park for six months out of the year and to suspend all winter sports, including ice skating, in Como Park, commencing January 1, 1977, and

WHEREAS, the Town of Lancaster taxpayers are made to bear the burden of additional police protection and traffic problems resulting from summer use of the park, which burdens have been somewhat acceptable in view of the past operations of the ice skating rink and winter sports program operated by the Erie County Parks and Recreation Department in past years, and

WHEREAS, the suspension of ice skating and winter sports at Como Park will cause area youth to resort to use of Cayuga Creek channels and other unsafe, unsupervised and dangerous areas for ice skating, hockey and sledding, exposing such youth to injury and possible death due to such unsupervised activities, and

WHEREAS, the operation of the ice skating facility and sledding hill by the County of Erie would result in minimal cost with the widest possible use by all residents of Erie County,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster memorialize the Commissioner of Parks and Recreation of Erie County, the County Executive, the Clerk of the Erie County Legislature and Legislators Wolf and Slisz that action be taken by the County of Erie to maintain the ice skating facilities and other winter sports in the current and future fiscal years, and

BE IT FURTHER

RESOLVED, that the Town Clerk forward certified copies of this resolution to the aforesaid persons.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES
COUNCILMAN BERENT VOTED YES
COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES
COUNCILMAN METZ VOTED YES

The resolution was thereupon unanimously adopted.

December 20, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, Broadway Steinfeldt, Inc., 6495 Transit Road, Bowmansville, New York, has petitioned the Town Board of the Town of Lancaster for the provisional rezone of certain property situate on the northeast corner of Broadway and Steinfeldt Road in the Town of Lancaster from an R1, Single Family Residence District, RC, Residence-Restricted Business District and SA, Suburban-Agricultural District, to a C1, Local Retail Business District, in accordance with the provisions of Chapter 50-126 of the Code of the Town of Lancaster, entitled "Provisional Amendments" and in accordance with a certain development plan filed with the Town Clerk of the Town of Lancaster, and

WHEREAS, this petition has been referred to the Planning Board of the Town of Lancaster for its recommendation and report,

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of the State of New York, a public hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 3rd day of January, 1977, at 8:00 o'clock P.M., Local Time, and that Notice of the time and place of such hearing be published in the Lancaster Enterprise-Journal, the official newspaper, on December 23, 1976, and be posted on the Town Bulletin Board, and that copy of such Notice of Hearing be referred to the Erie County Department of Planning pursuant to Section 239 (m) of the General Municipal Law, which Notice shall be in the following form:

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED YES
COUNCILMAN BERENT	VOTED YES
COUNCILMAN BOLENDER	VOTED YES
SUPERVISOR KEYSA	VOTED YES
COUNCILMAN METZ	VOTED YES

The resolution was thereupon unanimously adopted.

December 20, 1976

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 20th day of December, 1976, the said Town Board will hold a Public Hearing on the 3rd day of January, 1977, at 8:00 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, provisionally rezoning the following described real property from an R1, Single Family Residence District, RC, Residence-Restricted Business District and SA, Suburban-Agricultural District, to a C1, Local Retail Business District, in accordance with the provisions of Chapter 50-126 of the Code of the Town of Lancaster entitled "Provisional Amendments" and in accordance with a certain development plan filed with the Town Clerk of the Town of Lancaster:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie, State of New York, being part of Lots 3 and 5, Township 11, Range 6, bounded and described as follows:

COMMENCING at the point of intersection of the center line of Steinfeldt Road (49.5 feet wide) and the north line of Broadway (66 feet wide); thence east along the north line of Broadway (66 feet wide) 201.45 feet to point of beginning; thence north along a line parallel to and 199.75 feet from the center line of Steinfeldt Road (49.5 feet wide) 770.99 feet to a point; thence east and parallel to Broadway (66 feet wide) 511.32 feet to a point on the east line of Lot 5, also being the west line of Lot 3; thence continuing east and parallel to Broadway (66 feet wide) 498.58 feet to a point of bend; thence continuing east and parallel to Broadway (66 feet wide) 160.00 feet to a point; thence south along a line parallel to the west line of Lot 3, 470.00 feet to a point; thence west along a line parallel to Broadway (66 feet wide) 160.00 feet to a point of bend; thence continuing west along a line parallel to Broadway (66 feet wide) 241.03 feet to a point; thence south along a line parallel to the west line of Lot 3, 300.00 feet to a point on the north line of Broadway (66 feet wide); thence west along the north line of Broadway (66 feet wide) 257.55 feet to a point on the west line of Lot 3, also being the east line of Lot 5; thence continuing west along the west line of Broadway (66 feet wide) 503.41 feet to the point of beginning; excepting therefrom parcels taken by the State of New York for Right-of-Way, containing 17.8, plus or minus, acres, including State Right-of-Way taking.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

Dated: December 20, 1976

By: ROBERT P. THILL, Town Clerk

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT, , TO WIT:

WHEREAS, Timothy J. Dwan, Town Justice of the Town of Lancaster,
has recommended that the part-time position of Clerk-Typist in the Town Justice
Department presently held by Janet A. Mrozek be abolished effective December
31, 1976, and

WHEREAS, the said Timothy J. Dwan has recommended the creation of
the position of Clerk-Typist in the Town Justice Department,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the part-time position of Clerk-Typist in the Town Justice
Department of the Town of Lancaster as presently constituted, be and hereby is
abolished effective December 31, 1976, and

2. That the Town Board of the Town of Lancaster hereby creates
the position of Clerk-Typist in the Town Justice Department of the Town of
Lancaster, and

3. That the Supervisor be and is hereby authorized to complete and
execute Section 8 of P0-17 (New Position Duties Statement) from the Erie County
Department of Personnel, indicating that the position of Clerk-Typist in the
Town Justice Department of the Town of Lancaster has been created and take
necessary action to accomplish the abolishment of the part-time position of
Clerk-Typist in the Town Justice Department.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

~~and~~

The resolution was thereupon unanimously adopted.

December 20, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BARNHARDT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BERENT , TO WIT:

WHEREAS, in the course of review and investigation of the status of the zoning district on the north side of Broadway in the Town of Lancaster, the Planning Consultant and the Planning Board have determined that a 200 foot strip of land on said north side of Broadway, generally between Steinfeldt Road and Bowen Road, is presently zoned C2, General Commercial District, and

WHEREAS, the Planning Consultant and Planning Board have recommended that action be taken by the Town Board to rezone a hereinafter described portion of an area extending west and north from the existing C2, General Commercial District, presently zoned RC, Residence-Restricted Business District, and SA, Suburban-Agricultural District, to C2, General Commercial District, in order to provide one contiguous C2, General Commercial District, along the north side of Broadway which will be compatible with a proposed petition for provisional rezoning by Broadway-Steinfeldt, Inc., and

WHEREAS, the Town Board of the Town of Lancaster desires, on its own initiative, to commence the rezone procedure with regard to said parcel of real property, and

WHEREAS, the recommendations of the Planning Consultant and Planning Board have been received by the Town Board with regard thereto,

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Sections 130 and 265 of the Town Law of the State of New York, a public hearing on the proposed rezone will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, on the 3rd day of January, 1977, at 8:20 o'clock P.M., Local Time, and Notice of the time and place of such hearing be published in the Lancaster Enterprise-Journal, the official newspaper of the Town of Lancaster, on December 23, 1976, and be posted on the Town Bulletin Board and that copy of such Notice of Hearing be referred to the Erie County Department of Planning pursuant to Section 239 (m) of the General Municipal Law, which Notice shall be in the following form:

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 20th day of December, 1976, the said Town Board will hold a Public Hearing on the 3rd day of January, 1977, at 8:20 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the following proposed amendment to the Zoning Ordinance and Zoning Map of the Town of Lancaster, rezoning the following described real property from an RC, Residence-Restricted Business District, and SA, Suburban-Agricultural District, to a C2, General Commercial District:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie, State of New York, being part of Lots 1 and 3, Section 7, Township 11, Range 6, bounded and described as follows:

BEGINNING at a point on the north line of Broadway (66 feet wide), said point being 962.41 feet east of the center line of Steinfeldt Road (49.5 feet wide) as measured along the north line of Broadway (66 feet wide); thence east along the north line of Broadway 1405.03 feet to its intersection with the east line of lands now or formerly owned by Charles Kolb; thence north along the east line of lands now or formerly owned by Charles Kolb 300.00 feet to a point; thence west along a line parallel to Broadway (66 feet wide) 1405.03 feet to a point; thence south along a line parallel with the west line of Lot 3, 300.00 feet to the point of beginning, excepting therefrom any lands lying within the described area currently zoned C2, General Commercial District.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

By: ROBERT P. THILL
Town Clerk

Dated: December 20, 1976

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES	SUPERVISOR KEYSA VOTED YES
COUNCILMAN BERENT VOTED YES	COUNCILMAN METZ VOTED YES
COUNCILMAN BOLENDER VOTED YES	

The resolution was thereupon unanimously adopted.

December 20, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, by resolution of the Town Board of the Town of Lancaster
of December 20, 1976, the position of Clerk-Typist in the Town Justice Depart-
ment of the Town of Lancaster was created,

NOW, THEREFORE, BE IT

RESOLVED, that Judith A. Kane, 60 Sawyer Avenue, Lancaster, New
York, be and hereby is appointed to said position of Clerk-Typist in the Town
Justice Department of the Town of Lancaster, effective, January 1, 1977, at an
annual salary of \$6,240.00, and

BE IT FURTHER

RESOLVED, that the Supervisor take the necessary action with the
Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

~~duky~~
The resolution was thereupon unanimously adopted.

December 20, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BERENT , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
BARNHARDT , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has previously advertised for bids for the furnishing to the Police Department of the Town of Lancaster, New York, of three (3) new 1977 Police Patrol vehicles and one (1) new 1977 automobile in accordance with specifications on file with the Town Clerk of the Town of Lancaster, and

WHEREAS, said bids were duly opened on December 6, 1976, and

WHEREAS, Mid-City Dodge, Inc., 2185 Walden Avenue, Cheektowaga, New York, has submitted a net bid for the furnishing of three (3) new 1977 Police Patrol vehicles for the sum of \$11,109.00, and a net bid for the furnishing of one (1) new 1977 automobile for the sum of \$4,004.00, and

WHEREAS, the Chief of Police of the Town of Lancaster has recommended the purchase of the above-mentioned automobiles, and further that said bid is the lowest responsible bid submitted conforming with the specifications therefor,

NOW, THEREFORE, BE IT

RESOLVED, that the low bid of Mid-City Dodge, Inc., 2185 Walden Avenue, Cheektowaga, New York, in the net sum of \$11,109.00 for three (3) Police Patrol vehicles and the net sum of \$4,004.00 for one (1) automobile be and the same is hereby accepted and that order for such automobiles is hereby authorized to be placed and that delivery be made not later than seventy-five (75) days after date of order.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT	VOTED	YES
COUNCILMAN BERENT	VOTED	YES
COUNCILMAN BOLENDER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES
COUNCILMAN METZ	VOTED	YES

~~only~~

The resolution was thereupon unanimously adopted.

December 20, 1976

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN BOLENDER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
METZ , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Funds	No. 4530 to 4640 Incl.	\$41,051.20
Special District Funds	No. 183 to 187 Incl.	\$10,103.45
Part Town Funds	No. 371 to 377 Incl.	\$ 627.97
Highway Funds	No. 1081 to 1113 Incl.	\$14,597.28
Trust & Agency Funds	No. 151 to 153 Incl.	\$ 2,920.83
Federal Reserve Sharing	No. 469 to 478 Incl.	\$ 2,002.45
Capital Funds	No. 245 to 246 Incl.	\$ 658.26

The question of the adoption of the foregoing resolution was
duly put to a vote on roll call, which resulted as follows:

COUNCILMAN BARNHARDT VOTED YES

COUNCILMAN BERENT VOTED YES

COUNCILMAN BOLENDER VOTED YES

SUPERVISOR KEYSA VOTED YES

COUNCILMAN METZ VOTED YES

~~xxx~~
The resolution was thereupon unanimously adopted.

December 20, 1976

STATUS REPORT ON UNFINISHED BUSINESS:

1. Rezone Petition, Broadway Steinfeldt Inc.
On December 6, 1976, the Town Board set a Public Hearing on this matter for January 3, 1977 at 8:00 P.M.
2. Rezone Petition, Guenther H. and Eva G. Burkhardt
On August 16, 1976, this matter was presented to the Town Board and referred to the Planning Board for review and report.
3. Subdivision Approval, Josela Enterprises, "Countryside Subdivision"
On February 6, 1976, the Planning Board granted a preliminary approval to the Subdivider for this subdivision. The subdivider must now proceed with Step 5 of "Steps for Control of Land Subdivision" and proceed with the preparation of a final plat.
4. Subdivision Approval, Lancaster Industrial Park
On August 16, 1976, this matter was presented to the Town Board and referred to the Planning Board, Town Engineers and Planning Consultant for review and report.
5. Request Speed Evaluation - South Lake Avenue
On October 18, 1976, the Town Board adopted a resolution requesting the County of Erie to join with the Town of Lancaster in requesting the New York State Department of Transportation to conduct a traffic speed evaluation on this Town highway.
6. Proposed Discharge of Firearms Ordinance
On October 18, 1976, the Town Board held a Public Hearing on this proposed ordinance and reserved decision.
7. Request Speed Evaluation - Genesee Street-Harris Hill to Stony Road
On December 6, 1976, the Town Board adopted a resolution requesting the County of Erie to join with the Town of Lancaster in requesting the New York State Department of Transportation to conduct a traffic speed evaluation on this State road.
8. Subdivision Approval, Pleasantmeadow Subdivision
On November 18, 1976, this matter was presented to the Town Board and referred to the Planning Board, Town Engineers and Planning Consultant for review and report.

PERSONS DESIRING TO ADDRESS TOWN BOARD:

Mrs. Donna Stutzman, 63 Lake Avenue, Lancaster, New York presented a petition to the Town Board requesting the continued operation of the winter facilities at Como Lake Park.

The Town Clerk was directed to forward this petition to the County Executive, Clerk of the Legislature, Commissioner of Parks, Leg. Wolf and Leg. Slisz along with the Town Board resolution requesting such continued operation.

COMMUNICATIONS:DISPOSITION

707. Clarence Rainess & Co. to Town Board -
Notification of arrangements regarding
1977 accounting services with the Town.
708. Copy of the November, 1976 Report of
the Dog Warden.
709. Copy of letter from Pres., Doralco, Inc.
to Supervisor expressing resentment over
implications that he has been cited as
being at fault in the development of the
industrial area on Walden Avenue.
710. Sec'y, Millgrove Vol. Fire Co., Inc. to
Town Clerk -
Request confirmation of three
additional members to the active roster.
711. Copy of memo from Dir., Community Devel.,
Erie County to Supervisor giving
notification of "Opt-out" right in regards
to the Town's right not to enter into a
cooperation agreement with Erie County in
connection with applying to HUD.
712. Supervisor to Town Board -
Notification of investment of funds in
the amounts of \$60,000. and \$175,000.
with dollar earnings of \$325.50 and
\$1,457.75.
713. Copy of letter from Ass't County Attorney
to Supervisor transmitting 1976-77 Snow
Contracts.
714. Copy of the Youth Bureau Minutes of
meeting held 11/18/76.
715. Copy of letter from Supervisor to Hon.
Jack Kemp transmitting copies of the
Town's application for Federal funding
under the Local Public Works Capital
Development and Investment Program.
716. Copy of letter from Supervisor to Chair.,
Nia. Frontier Transportation Authority
expressing a desire to meet with regards
to reviewing the transportation planning
for the Town.
717. Chair., Youth Bureau to Supervisor -
Recommendation that Gloria Gorenflo be
reappointed to the Recreation Comm.
718. Town Engineer to Supervisor -
Notification of Erie County Water
Authority Hydrant charges and
notification that the Town will continue
to be billed for 704 hydrants till
verification can be made.
719. Copy of memo from Comm., N.Y.S. Dept.
of Motor Vehicles transmitting copies of
regulations and summary relating to
limited use vehicles.

Town Board

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COMMUNICATIONS CONT'D.:DISPOSITION

720. Copy of letter from Attorney to Chief,
Town Line Vol. Dept. requesting a joint
meeting to resolve parking problem.
721. Town Attorney to Town Board -
Request clarification in regards to
appropriation of \$1200. for Civic
and Patriotic Observances for 1977.
722. Town Clerk to Town Board -
Resume of actions taken in response to
directions and resolutions of the Town
Board Meeting of 12/6/77.
723. Leg. Norman J. Wolf to Town Clerk -
Notification of receipt of resolution
memorializing the County and Legislature
to provide more adequately the funding
of libraries with proposal of meeting
with Supervisor Keysa, Dr. Lester, and
Leg. Slisz.
724. Ernest Gainey to Town Board -
Request appointment as Substitute Dog
Warden.
725. Study Dir., Erie & Nia. Counties Reg.
Planning Board to Supervisor -
Transmittal of Existing Land Use
Maps and Population Projections.
726. Ass't Dir., Erie & Nia. Counties Reg.
Planning Board to Supervisor -
Notification of approval of the
EDA project, Renovation of Town Hall,
with increase in funds to \$865,500.
727. Ass't Dir., Erie & Nia. Counties Reg.
Planning Board to Director -
Notification of approval of the
EDA project, Town Highway Garage,
with increased funds to \$433,100.
728. Town Engineer to Supervisor -
Notification that the Town need not
furnish any additional information
to the County Dept. of Environ.
Quality with regards to trunk sewer
sizes and capacities.
729. Copy of the Environ. Conser. Comm.
Minutes of meetings held 10/13/76 and
11/10/76.
730. Copy of letter from Dir., Off. of Health
Education and Information Dissemination
transmitting a Legal Notice of a Public
Hearing to be held 1/13/77 in the Erie
County Off. Bldg. in regards to proposed
changes in Sections 6 and 12 of Article IV.
of the Erie County Sanitary Code.
731. Town Attorney to Town Board -
Notification that \$1050.00 is being
allocated for civic and patriotic
observances for 1977.

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Town Board as a
whole

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COMMUNICATIONS CONT'D.:

DISPOSITION

732. Adm. Dir., Erie County Water Authority
to Supervisor -
Notification that letter regarding
condition of Town hydrants was
forwarded to the Engineering Dept.
who will contact Chief Herrnreiter
to resolve the matter.
733. Copy of Employee Information Letter from
Policemen's and Firemen's Retirement
System regarding participation in the
CO-ESC Retirement Plan.
734. Reg. Dir., U.S. Dept. of Commerce
to Supervisor -
Notification that Town's application for
a grant of \$360,000. for Walden Pond
Park was received on 11/24/76.
735. Police Chief to Town Board -
Recommendation that Gail Braun be
appointed Police Clerk effective
1/1/77 with transmittal of employment
application.
736. Police Chief to Town Board -
Recommendation that Mid-City Dodge be
awarded contract for furnishing four
new police vehicles.
737. Assessor to Town Board -
Recommendation that Michael J. Beilman
be appointed Real Property Appraiser-
Estimator Trainee effective 12/21/76.
738. Pres., Pleasantview Trucking Inc. to
Town Board -
Request information regarding tax
reductions for business expansion in
the Town.
739. Sec'y, Bowmansville Vol. Fire Assn. to
Town Board -
Request confirmation of three
additional members to the active roster.
740. L. Peters, M & T Bank to Town Board -
Expression of appreciation for past
considerations and request that the
Town designate M & T as an official
depository for 1977.
741. Leg. Norman Wolf to Supervisor -
Notification of receipt of copy of
letter sent to Hon. Gallagher with
hopes that employee turnover accounts
can be used to provide additional
funding for the Town libraries.
742. Timothy J. Dwan to Town Board -
Notification of termination of part-
time clerk typist position effective
12/31/76.

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Attorney

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- Police Chief
Investigating Comm.
R & F
- Engineers
Supervisor
- R & F
- R & F
- Council. Barnhardt
- Engineers
Supervisor
- R & F
- R & F
LADCO

ON MOTION OF COUNCILMAN BARNHARDT, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 9:50 P.M. out of respect to:

Helen Krull
Raymond Maute

Signed Robert P. Thill
Robert P. Thill, Town Clerk